

HEARING BEFORE THE CITY COUNCIL, MARCH 14, 2011

Hearing opened at 7:07 P.M. with Councillor Rowlands, Chair of the Legal Affairs Committee, presiding.

All members were present except Councillors Chalifoux Zephir, Salvatelli, Nickel and Freda.

The following PETITION was the subject of the hearing:

33-11 Paul A. DiGeronimo, Manager of Johnny Appleseed Realty, LLC: Rezone 1.13 acres of land on Sawtelle Road and Montrose Street from Commercial to Residence B as shown on Assessor's Map 442, Lot 18 and Map 523, Lot 14.

Councillor Rowlands said this hearing will be continued due to the fact that there are several Councillors absent. No new evidence was taken in.

HEARING ADJOURNED AT 7:08 P.M. AND CONTINUED TO MARCH 28, 2011 AT 7:00 P.M.

Lynn A. Bouchard, City Clerk
And Clerk of the City Council

REGULAR MEETING OF THE CITY COUNCIL, MARCH 14, 2011

Meeting was called to order at 7:30 P.M.

Attendance was taken by a roll call vote; all members were present except Councillors Salvatelli and Chalifoux Zephir.

The Committee on Records reported that the records through February 14, 2011 were examined and found to be in order. The records were accepted.

The following COMMUNICATIONS were received, referred to the FINANCE COMMITTEE and given REGULAR COURSE.

- C-56 Relative to the appropriation of \$25,000 to the Snow and Ice Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-57 Relative to the appropriation of \$150,000.00 to the Snow and Ice Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-58 Relative to the appropriation of \$48,500.00 to the Emergency Management Agency Capital Outlay Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-59 Relative to the appropriation of \$10,000 to the Parking Meter Salary & Wages Account; same to be transferred from the Parking Meter Receipts Reserved Account.

The following APPOINTMENTS were received, referred to the WAYS & MEANS COMMITTEE, and given REGULAR COURSE.

APPOINTMENTS

Emergency Management, Admin Unit – Casey Lucas

Council on Aging – terms to expire April 15, 2014

James E. Hines, John Harmon, Carol DeCarolis

Ann Lucier – to fill the unexpired term of Bob Larose-
term to expire April 15, 2013

RE-APPOINTMENTS

Emergency Management – Assistant Directors – terms to expire April 15, 2012
James LeBlanc, Richard Gauvin

Emergency Management - Deputy Directors – terms to expire April 15, 2012
Alfred Staal, Thomas Piper, Daniel Thibodeau, Jean Hudson

Emergency Management - Auxiliary Police Officers – terms to expire April 15, 2012
Nikito Baker, John Caron, Donn A. Deane, Shaun Calcari,
Justin P. Nichols, Edward Coffin, Erick Schmidt Sr., Oscar
Myles, Pedro Ruiz, Elympse Octavuis, Matt Perkins

The following APPOINTMENT was received under SUSPENSION OF THE RULES, referred to the WAYS & MEANS COMMITTEE and given REGULAR COURSE. Vt. 7/0

Emergency Management-Auxiliary Police Officer – term to expire April 15, 2012
Vincente Figuerora

A recess was called at 7:40 P.M. to hold an informational meeting with Brian Belliveau of Spindle City Precious Metals.

The meeting reconvened at 7:51 P.M.

Councillor Nickel, Clerk of the Finance Committee, read the financial report for the City onto the record. Account balances are as follows:

Excess and Deficiency Account (Free Cash)	\$ 1,822,904.50
Stabilization Account	\$11,077,329.34
Emergency Reserved Account	\$ 1,443.00

REGULAR MEETING OF THE CITY COUNCIL, MARCH 14, 2011, continued

Upon recommendation of the FINANCE COMMITTEE, the following COMMUNICATIONS were GRANTED and ORDERED. Vt. 7 “yeas”.

C-54 Relative to the appropriation of \$161,000.00 to the Police Station Capital Outlay Expense Account; same to be transferred from the Excess and Deficiency Account.

ORDERED: - that the sum of One Hundred Sixty One Thousand Dollars (\$161,000.00) be appropriated to the Police Station Capital Outlay Expense Account; same to be transferred from the Excess and Deficiency Account.

C-55 Relative to the appropriation of \$634,586.50 to the Wastewater Capital Outlay Expense Account; same to be transferred from the Excess and Deficiency Account.

ORDERED:- that the sum of Six Hundred Thirty Four Thousand Five Hundred Eighty Six Dollars (\$634,586.50) be appropriated to the Wastewater Capital Outlay Expense Account; same to be transferred from the Excess and Deficiency Account.

RE: Collection System Evaluation/Upgrades	\$200,000.00
Wastewater Treatment Plan Upgrade	\$434,586.50

Upon request of the LEGAL AFFAIRS COMMITTEE, the following PETITION was given FURTHER TIME. Vt. 7/0. The hearing is continued to March 28, 2011 at 7:00 P.M.

33-11 Paul A. DiGeronimo, Manager of Johnny Appleseed Realty, LLC: Rezone 1.13 acres of land on Sawtelle Road and Montrose Street from Commercial to Residence B as shown on Assessor’s Map 442, Lot 18 and Map 523, Lot 14.

Upon recommendation of the WAYS & MEANS COMMITTEE, the following PETITION was GRANTED. Vt. 7/0

36-11 Brian Belliveau on behalf of Spindle City Precious Metals: Grant a Second Hand Dealer’s License for the purchase of precious metals at the Four Points Sheraton, 99 Erdman Way.

Upon recommendation of the WAYS & MEANS COMMITTEE, the following APPOINTMENT was CONFIRMED. Vt. 7 “yeas”

Emergency Management – Admin. Unit - Gary Renaud

Under Old Business, Councillor Freda, Chair of the Water & Sewer Oversight Committee, said last Wednesday there was a public hearing held at the Library which had been postponed from January due to a major storm. She said it was put on by EPA regarding the MS4 new regulations on permitting. She said the room was packed and a number of communities attended. She said it is a continuation of the original MS4 permitting and is the second phase in storm water management. She said it will cost Leominster \$500,000-\$600,000 per year to maintain 500+ public outflows that Leominster is responsible for, not including the private ones. She said towns are being affected because their budgets are already set. She said there is a real concern about this. The EPA listened and said they have some flexibility with some issues and might be able to do something with the timeline but cannot do anything about the requirements. Pat LaPointe, Roger Brooks, John Roseberry, Chris Knuth, Joanne DiNardo, Kelley Freda and Alan Benevides attended. Testimony was taken.

Upcoming meetings were established:

Legal Affairs Committee	March 23, 2011 at 7:00 P.M.
Finance Committee	March 23, 2011 at 6:45 P.M.

Upon request of the LEGAL AFFAIRS COMMITTEE, the following ORDINANCE was given FURTHER TIME. Vt. 7/0

2nd Reading Ordinance - Amend the Revised Ordinance entitled "Junk and Second Hand Dealers" by deleting Chapter 11 in its entirety and replacing it with a revised Chapter 11. (Legal Affairs Petition 28-11- Hearing continued to March 28, 2011 at 6:30 P.M)

Under New Business, Councillor Marchand extended his appreciation and a thank you to the DPW regarding the sewer backup on Hall Street. Councillor Marchand said he spent three hours at the fire on Boutelle Street and kudos to the Fire Department who did a wonderful job, being prepared and their professionalism. Councillor Marchand said he went to the Recreation Department and visited the new building and said it is spectacular overlooking the pond. He said next Monday night is the first function there with a banquet for the special basketball players of the Youth Recreation League this winter. He said they are doing a great job there.

Councillor Marchand said he is concerned about the traffic questions that were raised. The people that they asked to come down cannot because of over taxation on the overtime account. He said we should take a vote and bring the Police Chief down to answer some questions. He said we need to have that conversation. The traffic issues in Leominster are not a secret.

Councillor Marchand said he spoke with neighbors in the community about this winter and he asked them a few questions. Their response was amazing on how awesome Fiore Trucking was with rubbish removal. He would a letter sent from the Council saying nice job to them would be appreciated.

REGULAR MEETING OF THE CITY COUNCIL, MARCH 14, 2011, continued

In accordance with Section 3.6 of the Leominster City Charter, a vote was taken to bring the Police Chief down to discuss traffic issue on April 11, 2011.

Councillor Lanciani said we each got a letter from Representative Dennis Rosa that he met with the Chairman of Ways & Means in Boston and the Mayor relative to the budget priorities that he sees for the City of Leominster. Councillor Lanciani wants to compliment Representative Rosa on that because it has been a long time since we've seen something like that come down to us listing the items he is concerned with.

Councillor Freda said she was at Searstown the day of the storm and watched a MART van drive past the barriers through the water and end up floating. The man was on the top of the van. She said she would like information on how much it cost the City. There were at least 2 engines, 2 police cars, the divers and the boats. She said Searstown has to take responsibility and some mechanism put in place to stop the people from getting stuck in there and calling our police and fire.

Council President Dombrowski said the Central Mass. Youth Basketball Association had a tournament at the high school this past weekend with a lot of teens from many different cities and towns. He said there were a lot of compliments from the visiting teams.

Council President Dombrowski said he wants to alert the Chairman of the President's Zoning Committee that the Mayor will be sending the Ordinance down towards the end of this month and he asked the Clerk to list the President's Zoning Committee as a regular entry under Old Business on the agenda from now on.

MEETING ADJOURNED AT 8:25 P.M.

Lynn A. Bouchard, City Clerk
and Clerk of the City Council